

COUNTY OF YORK

MEMORANDUM

DATE: October 17, 2002 (BOS Mtg. 11/19/02)

TO: York County Board of Supervisors

FROM: James O. McReynolds, County Administrator

SUBJECT: Application No. UP-609-02, York River Electric

ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (Category 11, No. 9) of the Zoning Ordinance, to authorize the establishment an office within an existing building currently used as a single-family detached residence. The property is located at 3201 Old Williamsburg Road (Route 238) and is further identified as Assessor's Parcel No. 18-4-3.

DESCRIPTION

- ? Property Owner: York River, LLC
- ? Location: 3201 Old Williamsburg Road (Route 238)
- ? Area: 0.82 acre
- ? Frontage: Approximately 175 feet on Old Williamsburg Road.
- ? Utilities: The property is currently served by septic and public water.
- ? Topography: Flat
- ? 2015 Land Use Map Designation: Multi-Family Residential
- ? Zoning Classification: RMF – Multi-Family Residential
- ? Existing Development: Single-family detached residence
- ? Surrounding Development:
 - North: Zook Mobile Home Park
 - East: Zook Mobile Home Park
 - South: Route 238; Yorktown Battlefield beyond
 - West: Single-family detached residence
- ? Proposed Development: Establishment of an office in an existing single-family residence.

CONSIDERATIONS/CONCLUSIONS

1. York River Electric is proposing to use the existing residential structure (1,750 square feet) as the administrative office for six of its employees. The Comprehensive Plan designates this area of Lackey as Multi-family Residential, and the property is zoned RMF (Multi-family residential). Business offices are permitted in this zoning district upon the approval of a special use permit.
2. The immediate surrounding area is predominately residential in nature, with higher densities to the north and east. These areas are occupied by the Zook Mobile Home Park, which contains approximately 45 mobile homes. To the west exists a single-family residence, approximately 12 feet from the applicant's property line. To the south across Old Williamsburg Road lies the Yorktown battlefield, which is forested and vacant, as is most of the land in this area of Lackey.
3. The Lackey area is located in Census Tract 505, which has been federally designated as a Historically Underutilized Business Zone (HUBZone). The purpose of the HUBZone program is to promote private sector investment and employment opportunities in the eligible communities. As the Board will recall, it recently amended the Comprehensive Plan by changing the land use designation for portions of the Lackey area to the west along Old Williamsburg Road from Limited Business and High Density Residential to General Business. As stated in the amended Plan, the new designation "recognizes the potential for the wider range of business that might be attracted to the area because of the federal HUBZone designation that applies to Lackey (and all of Census Tract 505). Consistent with the new designation, the Board also rezoned these properties from Neighborhood Business and R13 (High-density single-family residential) to General Business. The intent of these actions was to attract new businesses, particularly contracting businesses such as York River Electric, into the Lackey area. The applicant also has intentions of employing additional Lackey residents as 35% of its workforce in order to qualify for federal contracting opportunities under the HUBZone Empowerment Contracting Program. (In order for a business to qualify for the HUBZone program, at least 35% of its employees must reside in a HUBZone but not necessarily the HUBZone in which the business is located.)
4. It appears that the subject parcel can be redeveloped from residential to commercial use consistent with Zoning Ordinance standards pertaining to parking, landscaping, and lighting. The applicant's sketch plan provides for nine parking spaces, as well as two handicapped spaces. Since the subject parcel and surrounding property are zoned RMF, no transitional buffer is required. Currently, the sketch plan does not show any proposed landscaping; however, if this application is approved, the applicant will need to submit a landscape plan as part of its site plan submittal. Landscaped yards will need to be provided along the property lines, and these will help to screen the office from adjacent residential development. In addition, the residential nature of this site requires that any lighting for this business be no different from that required of a typical residential structure.
5. The subject parcel is served by a septic system and public water. The York-Poquoson Health Department recommends that, because of the age and condition of the present septic drain field, the proposed six-employee workforce should not be exceeded. The septic tank and distribution box to the drain field were replaced on August 29, 2002. However, the Health Department strongly recommends that this business connect to

public sewer as soon as it becomes available. The sewer extension for Old Williamsburg Road (including the subject parcel) is listed in the current Utilities Strategic Capital Plan as project number 29 out of the 34 future sanitary sewer projects in the County. As a result, this sewer extension is not programmed to begin construction until after the year 2010.

6. The conversion of a house into a commercial use will necessitate various modifications to the existing entrances on Old Williamsburg Road in accordance with Virginia Department of Transportation (VDOT) requirements for commercial entrances. Most importantly, one of the existing entrances is to be eliminated, which is consistent with the County's goal of limiting access to arterial roads by prohibiting or discouraging multiple entrances to a single development. In addition, the proposed six-employee workforce will not generate a significant increase in traffic to and from this site.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on October 9, 2002 and, subsequent to conducting a public hearing at which only the applicant spoke, voted 6:0 (Heavner absent) to recommend approval

COUNTY ADMINISTRATOR RECOMMENDATION

I am of the opinion that this application is consistent with the County's goal of attracting business investment into the Lackey area through the HUBZone program and that the subject parcel can accommodate the proposed use with no adverse impacts on surrounding areas. Therefore, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution No. R02-187.

Attachments

- ? Excerpts from Planning Commission minutes, October 9, 2002
- ? Zoning Map
- ? Vicinity Map
- ? Sketch Plan
- ? Proposed Resolution No. R02-187

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